

REMARKS

The Examiner has raised “new” grounds of rejection.

Applicants, however, note that the allegedly “new” grounds of rejection are merely word-by-word copies of the previous ones except for minor and/or cosmetic changes. For example, paragraphs 5-7 of the current Office Action are merely a shortened/rearranged version of paragraphs 6-8 of the previous Final Office Action. The essence of the “new” grounds of rejection is the same as the previous rejections.

The Examiner’s response to Applicants’ arguments in the Appeal Brief is not better formulated. The Examiner mostly cites the exactly same prior art teaching against different claim limitations which is improper on its face. *See*, for example, paragraphs h, j, o, p, r of the current Office Action.

Since the Examiner essentially sustains his erroneous position notwithstanding Applicants’ extensive traversing arguments, reinstatement of the appeal is hereby requested.

By this paper, Applicants have cancelled claims 16, 18-20, and 22-23 to simplify the issues on appeal. Claims 17 and 21 have been rewritten in independent form including all limitations of respective base claims 16 and 20, without otherwise touching the merits. Thus, the amendments to claims 17 and 21 are solely to place the claims in better condition on appeal. No new matter has been introduced through the foregoing amendments. Entry is in order.

The allegedly “new” grounds of rejection are traversed for the reasons presented in the second Appeal Brief filed concurrently herewith.

Serial No. 10/575,171

To the extent necessary, a petition for an extension of time under *37 C.F.R. 1.136* is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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